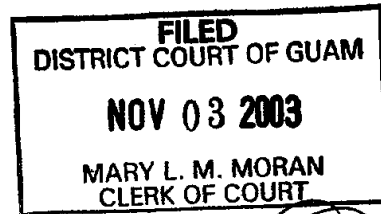


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9  
10 Attorneys for Plaintiff Shell Guam, Inc.

11 IN THE DISTRICT COURT OF GUAM

12 SHELL GUAM, INC.,	)	CIVIL CASE NO. CIV03-000021
13 a Guam corporation,	)	
14	)	
15 Plaintiff,	)	<del>PROPOSED</del> <i>my</i>
16	)	ORDER OF SALE OF DEFENDANT
17 vs.	)	M/V GYOKO MARU NO. 18
18	)	BY PLAINTIFF SHELL GUAM, INC.
19 M/V GYOKO MARU NO. 18	)	
20 and NIKKI SUISAN CORPORATION,	)	
21 a Japan Corporation,	)	
22	)	
23 Defendants.	)	
24	)	

25 This matter having come before this Court upon the Application for Order of Sale by  
26 Plaintiff Shell Guam, Inc. with respect to Defendant M/V Gyoko Maru No. 18, and the Default  
27 against Defendant M/V Gyoko Maru No. 18 having been entered on September 15, 2003, Final  
28 Judgment by Default having been entered herein this action against Defendant M/V Gyoko Maru  
No. 18, now, upon application by Plaintiff Shell Guam, Inc., and upon review of the pleadings and  
papers on filed herein it is hereupon

ORIGINAL

5 **ORDERED** that:

6 1. That Defendant M/V Gyoko Maru No. 18 is hereby **ORDERED TO BE SOLD**.

7 2. That the United States Marshal is hereby **ORDERED AND DIRECTED** to sell  
8 Defendant M/V Gyoko Maru No. 18 upon the following terms and conditions:

9 a. That said Marshal shall sell Defendant M/V Gyoko Maru No. 18 at the steps  
10 of the District Courthouse at the hour of **1:30 o'clock p.m.** on the 20 day of **November 2003**,  
11 after publication of the Notice of Sale as required by the rules of this Court. Notice shall be  
12 published in the Pacific Daily News, a newspaper of general circulation in Guam USA, for six (6)  
13 consecutive days before the date of sale.

14 b. That said Marshal, at the request of any interested person, grant permission  
15 to said person or his representative to visit, board, inspect, examine and survey the Defendant M/V  
16 Gyoko Maru No. 18 during the daylight hours of 9:00 a.m. and 4:00 p.m., provided that the same  
17 shall be done at the sole expense and risk of any said person or his representative. Any such  
18 inspection to be arranged through Oceaneer Enterprises, Inc..

19 c. That the Marshall is hereby authorize to accept a deposit of ten percent  
20 (10%) of the amount of the bid for Defendant M/V Gyoko Maru No. 18, upon the condition that  
21 the balance of the bid is paid as provided in Local Admiralty Rule 14(b) and upon condition that the  
22 deposit shall be forfeited by the bidder and applied to the costs of this action, if the balance of the  
23 bid is not paid when due. The amounts shall be held by the Marshal pending further order of this  
24 Court.  
25  
26  
27  
28

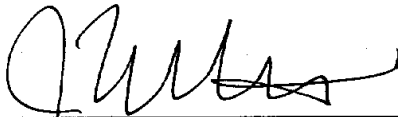
d. That Plaintiff Shell Guam, Inc. is authorized to bid up to the amount of their Judgment, as well as their costs including custodial expenses incurred or to be incurred and attorneys fees and costs, and Plaintiff Shell Guam, Inc. shall not be required to make any deposit to secure its bid, pending confirmation of sale.

e. Plaintiff Shell Guam, Inc. shall file an Affidavit of its costs with the Court as provided by Local Admiralty Rule 14(b) and may file a Supplemental Affidavit on the day of the sale and present a copy of the same to the Marshal prior to the sale and the amount thereof shall be announced by him previous to the sale.

f. The sale of Defendant M/V Gyoko Maru No. 18 shall be subject to all liens and the United States Marshal shall so state in the Notice of Sale and at the time of sale.

**SO DONE AND ORDERED IN CHAMBERS** at Hagåtña, Guam USA this 3<sup>rd</sup> day of

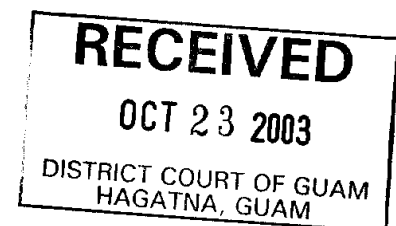
~~November~~  
~~October~~ 2003.

  
HONORABLE JOHN S. UNPINGCO  
Chief Judge, District Court of Guam

Notice is hereby given that the Court was  
enrolled on the docket on 11/4/03.  
No separate notice of entry of the docket will  
be issued by this Court.

Mary L. M. Brown  
Clerk, District Court of Guam

By:  11/4/03  
Deputy Clerk Date



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